

REMARKS

Claim Amendments

Claims 1-9, 11, and 13-20 are pending and under examination. Applicants have amended claims 1, 3, 4, 9, 11, 13, and 17-20. Support for the amendments to independent claims 1, 13, and 18 can be found in the specification at, for example, p. 43, line 8 to p. 44, line 19, p. 45, line 16 to p. 46, line 19, and Figs. 14 and 15.

Office Action

In the Office Action¹, the Examiner rejected claims 1-9, 11, and 13-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Pub. No. 2004/0237104 ("*Cooper*") in view of U.S. Patent No. 6,104,334 ("*Allport*").

Rejection under 35 U.S.C. § 103(a)

Applicants request reconsideration and withdrawal of the rejection of claims 1-9, 11, and 13-20 under 35 U.S.C. § 103(a). The Office Action has not properly resolved the *Graham* factual inquiries, as required to establish a framework for an objective obviousness analysis. See M.P.E.P. § 2141(II), citing to *Graham v. John Deere Co.*, 383 U.S. 1 (1966), as reiterated by the U.S. Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398 (2007).

In particular, the Office Action has not properly determined the scope and content of the prior art, at least because the Office Action incorrectly interpreted the content of the cited references. Specifically, the cited references do not teach or suggest what the Office Action attributes to them. In addition, the Office Action has not properly

¹ The Office Action contain a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

ascertained the differences between the claimed invention and the prior art, at least because the Office Action has not interpreted the prior art and considered both the invention and the prior art as a whole. See M.P.E.P. § 2141(II)(B).

The Office Action admits that “Cooper is silent in teaching an interlock/non-interlock function,” as recited in claim 1. Office Action, p. 3. The Office Action then relies on *Allport* to allegedly cure the deficiencies of *Cooper*. Specifically, the Office Action alleges that “Allport teaches a system which has a function of displaying the information on the TV screen (as shown on figure 5) or to switch off the video of the tv and present interactive controlling device options as shown on (figure 3). In addition, Allport teaches an operation including a base device selection button and a plurality of additional buttons for switching image modes (figure 3 shows a list of options which involves switching image modes, such as: pictures (125), music (130), scheduler (135), other (140).” *Id.* at 4 (emphases added). This is incorrect.

Allport discloses a “portable internet-enabled controller.” *Allport*, Title. Fig. 3 of *Allport* shows a remote controller 10, which displays “buttons 125, 130, 135, and 140 . . . to transfer the consumer to the ‘picture’ screen 20, the ‘music’ screen 25, the ‘scheduler’ screen 45, and the ‘other’ screen 40 respectively.” *Id.*, col. 12, lines 26-29. Fig. 5 of *Allport* shows a “typical layout” of a “‘list alternatives’ screen.” *Id.*, col. 13, lines 21-22.

However, even assuming *Allport* teaches “switching image modes” on the remote controller 10, and “switch[ing] off the video of the tv” to “present interactive controlling device options,” as alleged by the Office Action, an allegation to which Applicants do not concede, *Allport* does not teach or suggest “an interlock/non-interlock function for

selecting whether the first picture signal supplied to the first display device should be switched to a third picture signal in response to a switch for the second display device from the second picture signal to the third picture signal," as recited in amended claim 1 (emphasis added). All other portions of *Allport* also fails to teach or suggest the above-quoted feature recited in claim 1. Therefore, *Allport* does not cure the deficiencies of *Cooper*.

In view of the reasoning set forth above, the Office Action has not properly ascertained the differences between the claimed invention and the prior art. Accordingly, no reason has been articulated as to why one of skill in the art would find the claimed combination obvious in view of the prior art. For at least this reason, no *prima facie* case of obviousness has been established.

Accordingly, at least because *Cooper* and *Allport*, whether taken alone or in combination, fail to teach or suggest each and every feature recited in claim 1, claim 1 is allowable over the cited references. Although of different scope, independent claims 13 and 18 contain recitations similar to the features discussed above in connection with claim 1. Therefore, independent claims 13 and 18 are also allowable over the cited references for at least the same reasons discussed above in connection with claim 1. In addition, dependent claims 2-9, 11, 14-17, 19, and 20 are allowable over the cited references at least by virtue of their respective dependence from base claim 1, 13, or 18, and because they recite additional features not taught or suggested by the cited references. Therefore, the rejection of claims 1-9, 11, and 13-20 under 35 U.S.C. §103 as being obvious from *Cooper* in view of *Allport* is improper and should be withdrawn.

Conclusion

Applicants request the Examiner's reconsideration of the application, withdrawal of the rejection, and timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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